

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

MARK MARTIN,

Plaintiff,

vs.

DUANE C. YOUNG,

Defendant.

:

:

Case No. 3:12cv064

:

JUDGE WALTER HERBERT RICE

:

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS
OF THE UNITED STATES MAGISTRATE JUDGE (DOC. #3) IN THEIR
ENTIRETY, THE COURT NOTING THAT NO OBJECTIONS HAVE BEEN
FILED NOR ANY AMENDED COMPLAINT FILED; CAPTIONED CAUSE
DISMISSED FOR LACK OF THIS COURT'S SUBJECT MATTER
JURISDICTION; TERMINATION ENTRY

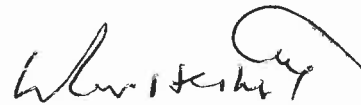
On February 29, 2012, the United States Magistrate Judge filed a Report and Recommendations (Doc. #3), recommending that the captioned cause be dismissed, sua sponte, on lack of subject matter jurisdictional grounds. The Magistrate Judge indicated therein that "(i)f Plaintiff has evidence that Defendant acted under color of state law, he shall file an Amended Complaint within seven days or less."

This Court, noting that Plaintiff has filed neither objections to the Magistrate Judge's Report and Recommendations nor an Amended Complaint, adopts said Report and Recommendations in their entirety and, in so doing, dismisses the

captioned cause for lack of this Court's subject matter jurisdiction.

The captioned cause is ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

March 28, 2012

A handwritten signature in black ink, appearing to read "Walter Herbert Rice", written over a horizontal line.

WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies to:

Counsel of record